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February 21, 2011

VIA ECF

Hon. B. Waugh Crigler
U.S. District Court for the
Western District of Virginia
255 W. Main Street, Room 328
Charlottesville, VA 22902

Re: ***Donald R. Scott and Melissa J. Scott v. GMAC Mortgage, LLC***
Civil Action No. 3:10-cv-24-NKM

Dear Judge Crigler:

We write to notify Your Honor about information discovered during the deposition of Plaintiffs' expert witness Phil d'Oronzio on February 15, 2011. Mr. d'Oronzio testified that he consulted your son Jason Crigler about three weeks ago regarding preparation of his supplemental expert report produced in this case on February 14, 2011 (the "Expert Report").

Mr. d'Oronzio explained that Jason Crigler owns Crown Mortgage, a mortgage company located in Charlottesville, Virginia. Mr. d'Oronzio requested that Mr. Crigler provide him with rate sheets from 2007 when the subject loan closed. Mr. Crigler provided such rate sheets, which are referenced in the Expert Report and were discussed during the deposition.

Mr. d'Oronzio did not inform your son that you were assigned to this case. Mr. d'Oronzio stated that Crown Mortgage may have been a competitor of GMAC Mortgage at the time the subject loan originated and closed. This issue may not arise during trial, but we wanted to notify Your Honor as soon as possible.

We proposed sending a joint letter informing Your Honor of this issue, but Plaintiffs' counsel have declined to disclose this contact as they consider it "inconsequential." We disagree and believe that the issue warrants disclosure to Your Honor.

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In the meantime, I remain

Respectfully yours,

/s/ Jason E. Manning
Jason E. Manning

c: Jonathan Wren, Esq.
John Simpson, Esq.

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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

**DONALD R. SCOTT and
MELISSA J. SCOTT,**

Plaintiffs,

v.

Civil Action No. 3:10-cv-24-NKM

GMAC MORTGAGE, LLC,

Defendant.

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of February, 2011, I electronically filed the foregoing with the clerk of the Court using the CM/ECF system that will send a true and correct copy of the foregoing to the following counsel of record:

Counsel for Plaintiffs

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/s/ Jason E. Manning

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